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BOOK REVIEWS.

A TREATISE ON SPECIAL SUBJECTS OF REAL PROPERTY. Containing an Outline of all Real Property Law, and more elaborate treatment of the subjects of Fixtures, Incorporeal Hereditaments, Tenures and Alodial Holdings, Uses, Trusts, and Powers, Qualified Estates, Mortgages, Future Estates and Interests, Perpetuities, and Accumulations. By Alfred G. Reeves, A. M., LL. B., Professor of Law in the New York Law School; Editor of "Reeves' Leading Cases on Wills." Boston: Little Brown & Company. 1904.

Whatever merit there may be in the fact that all of a law book is laboriously written by the author, as presenting or attempting to present a science rather than a digest, belongs to this volume. It is the outcome of fourteen years of experience in teaching large classes of law students, and of a determined effort to make a somewhat comprehensive treatise clear and intelligible for such readers. Emphasis is placed, throughout the work, on the fact that the department of law dealt with is a rounded, logical system, and that the reason for each particular rule or result discussed readily appears when it is fitted into its proper place in the system, and so is viewed as an historical development. The text is devoted exclusively to the unfolding of real property law as such a system; and no attempt is made to summarize the various statutory modifications of that system in all the states. Such an attempt must produce either a mere fragment or an immense digest. But, when the common law of real property is once understood as a symmetrical mass of reasoning, the additions of the special features produced by legislation in any one state are quickly and easily acquired by the practitioner.

The outline of real-property law in the fourth chapter, and the accompanying table, give a bird's eye view of the entire system in its symmetry, within pages that can be mastered in a couple of hours. The plan there set forth is strictly followed throughout the work. Leading up to that chapter is a somewhat detailed discussion of what things are to be included within its subject matter—real property—and a resulting chapter that aims to bring the law of fixtures down to date.

In "Book I"—dealing with the kinds of real property—special attention has been given to the law of rent, and to that of easements and servitudes. In addition to the general explanation of the latter, the special features and incidents of the most important forms of them, such as rights of lateral and subjacent support, party-wall and other wall privileges, water rights, both natural and artificial, rights of way, and rights to light, air and prospect, are given separate and particular attention.

In "Book II," the feudal system is treated, not merely as a part of English history, but chiefly as a means of explaining many of the familiar principles that are operating in the land-law of the present time. And care is specially taken to show how the spirit of alodial holdings lived through the reign of tenure and expanded on this side of the Atlantic.

"Book III," dealing with three out of the five general classes of estates—the three explained being estates, qualified, equitable, and future—especially in its latter portions, is the one which called for the greatest effort for perspicuity of statement and explanation. This has been sought in *the reasons back of the results*. It is thus that the student must learn them. It is thus that he *can* learn them with pleasure. The struggle for what men wanted, and the common law courts opposed, explains the rise and growth of uses, trusts and the various forms of executory estates and interests. And, when the few principles around which the legal battles were waged are once thoroughly understood, the rest becomes comparatively easy. By getting at those fundamental elements and holding them in the light, this book has sought to make those subjects clear. The same method has been followed in dealing with perpetuities and accumulations. By that method, men have been enabled to learn those things easily in the class room. And it is hoped that they may be able to do the same from the printed page.

The subject of mortgages is treated quite fully; and care is taken to explain, and to keep distinct, the three leading theories by which they have been controlled in this country. A running history of a foreclosure action closes the last chapter on that subject.

ENGLISH AND INDIAN LAW OF TORTS. By Ratanlal Ranchhoddas, B. A., LL. B., Vakil, High Court, and Dhirajlal Keshavlal, B. A., Authors of "Commentaries on the Indian Penal Code." Second Edition. Bombay: The Bombay Law Reporter Office, 117, Girgaon Back Road. 1903.

This work comes to us from the publishers at Bombay, with the request that we review it. A large sale in this country is perhaps not hoped for it, but a perusal of its pages suggests many interesting thoughts. One of these is the symmetry of the law throughout the British Empire, whose drum-beat is heard around the world. The names of the cases cited are as strange to our eyes as are those of the authors of the book, but the principles enunciated are familiar. They are only old friends with new faces. Thus on page 215: "The Bombay High Court has decided that no action for libel lies for any statement in pleadings (*Nathji v. Lalbhai*, 14 Bom. 97)." But as this is immediately preceded by a similar statement of the doctrine sustained by *Seamar v. Netherclift*, L. R. 1 C. P. 545, we feel that we are first cousins to India, looking to the same great source of supply for proposition and precedent. The work, while in limited compass, is nevertheless thorough, beginning at the beginning and going through the category of wrongful acts committed by others. It is really a clear and concise statement of the law of the subject and shows evidences of great industry and discriminating selection.